

**PREPARED TESTIMONY OF
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Hamas's electoral victory in the January 25 Palestinian parliamentary elections constitutes a turning point for Palestinians, for Israeli-Palestinian relations, and for the broader Middle East context. It is the first time that an armed, violent Islamist group has been voted into power through free and fair elections. There is no doubt that this victory provides a huge boost to Islamists in the region and beyond. This is an unsettling result given the nature of Hamas, with its fundamental platform calling for the destruction of Israel, its advocating and employing Jihad as a primary tool, and its upholding of anti-US, anti-Western, anti-liberal ideas.

Hamas leaders were as surprised as anyone by their election to power. They must now grapple with translating this victory into practical terms. A veritable burden of responsibility has been placed upon Hamas officials, and from day one they have been, and should continue to be, faced with tough choices.

The primary policy question for the international community is whether it should look to moderate Hamas or to help Hamas fail. Some people argue that Hamas is bound to moderate sooner or later under the burden of responsibility, and that therefore the moderation process should be made easier by lowering the threshold of demand. I, however, hold a different view. The chances for Hamas's moderation on its core beliefs are very slim in the foreseeable future. Let me outline the reasons. First, historical precedents demonstrate that processes of moderation of extremist violent movements take years, if not decades, and they are only ever achieved under significant pressure from a strong co-opting political center, namely an effective central authority and a strong mainstream political establishment.

However, Hamas comes fresh from being elected, and no strong, mainstream Palestinian political center exists that can force it to moderate. The current central authority is weak, and the Fatah party is both corrupt and in total disarray. Moreover, Hamas did not have to moderate its platform in order to win the elections. On the one hand, it ran under the banner of change and reform. On the other hand, while most Palestinians may differ with Hamas on its vision of a one-state solution, they nevertheless accept the idea that violence is a legitimate tool in dealing with Israel (not withstanding the current ceasefire), and they agree with Hamas's interim goal of pushing Israel to the 1967 borders.

Further, Hamas constitutes a political movement driven by deep religious convictions. It believes that abandoning its core ideals (such as the belief that the land of Palestine is

God-given to Muslims and that Jews have no rights to the land) would be akin to conversion and giving up on God's will.

Because there is no moderating pressure from within, pressure from outside is essential to require Hamas to accept the international stipulations put forth by the Quartet, namely a "commitment to the principles of nonviolence, recognition of Israel, and acceptance of previous agreements and obligations, including the Roadmap."

Hamas is currently focused on consolidating its political gains and authority—establishing a coalition government, strengthening its hold on power, and legitimizing itself in the eyes of the international community as much as possible, especially toward securing financial aid. Hamas will maneuver as much as it can to break the international line and erode international conditions. In this context, we can expect tactical adjustments from Hamas but not substantive change. It will probably extend the *tahdiya* (cool down/ceasefire) out of its own self-interest, and under pressure there is a good chance that it will selectively grant *de facto* recognition to certain existing agreements with Israel which in its judgment best serve the Palestinian population. It may also recognize the fact that there is an existing state called "Israel" which it is unable to wipe off the map at least at this stage. However, the chances that it accepts Israel's right to exist or gives up the violent option are infinitesimally small. Hamas suggests a long-term ceasefire with Israel, if Israel withdraws to the 1967 lines, releases all Palestinian prisoners, and agrees to accept the "right of return" of Palestinian refugees into Israel proper, but even then, it is not willing to recognize the State of Israel. This is not a partner for peace or stability.

Hamas faces a huge challenge ahead. It is inheriting a dysfunctional, corrupt, and economically almost-bankrupt authority. President Mahmoud Abbas has proven himself a very weak leader and failed to deliver on his promises for "one authority, one law, and one gun." However, he still wields a considerable nominal power and represents a contradictory platform to that of Hamas with an emphasis on a two-state solution and nonviolence. Potentially, he could prove challenging for this organization. Furthermore, Hamas is confronting a defiant Fatah party, still in control of the bureaucracy and security services, but which will refuse to relinquish its power, assets, and benefits without a fight. It also inherits a budgetary deficit of approximately \$800 million.

I am therefore not convinced that Hamas will successfully carry the burden, nor will it deliver on what it has promised, even if it enacts certain reforms and secures alternative sources of assistance, including from Iran. We may face a Hamas-run dysfunctional Palestinian Authority instead of a Fatah-run dysfunctional Palestinian Authority, only with much more poisoned relations with Israel and the US and with much better relations with Iran.

However, I would not rely on Hamas's failing and do nothing. Effective pressure from the outside is needed in the form of a refusal to deal with Hamas and to assist a Hamas-government unless it meets the conditions put forth by the international community. The practical question becomes where to draw the line between denying support to and the success of a Hamas-run Palestinian Authority while averting a humanitarian crisis—

which is against the interests of the international community and Israel—and convincing the Palestinian people that Hamas’s failings are on its own account, and not because of international meddling.

Under most international definitions, aid currently falls under three broad categories: budgetary support, emergency/humanitarian, and development. My view is that no direct budgetary support should be given to a Hamas-run government or Hamas-controlled institutions. Humanitarian aid to the Palestinian people should be continued but only indirectly and through vetted organizations. I would define humanitarian aid much like the European definition, which is basic needs such as food, medicine, water, sanitation, and basic shelter. As concerns development programs, since the government can take credit for such programs, even if the funding does not go through its budget, these projects should stop unless they touch on the humanitarian field. Projects may also be continued or carried out either through positive elements in the private sector or in municipalities which are not run by Hamas.

However, two additional and separate categories hide beneath most current definitions of humanitarian and developmental aid. These are education and encouragement of democratization and civil society, and they should be addressed separately. In terms of education (for which over 50% of UNRWA’s budget is allocated), the international community should invest only in certified programs, not those run by Hamas or carrying Hamas’s platform and values. Education will become crucial as Hamas will control the Ministry of Education, and the international community must monitor any of its funding for education to prevent the funding and subsidizing of hate programs - the current PA program continues to disseminate hateful materials. As for the encouragement of civil society, which includes programs aimed at peace promotion, people-to-people interactions, democratization, and support for the private sector and NGOs, this aid should continue, but the international community should monitor exactly where the money will be going. It is essential to invest in programs counter to Hamas’s ideology.

Concerning President Abbas, he must be tested to the point of the establishment of a new government by Hamas, which under Palestinian law should take place by the end of March. Abbas put forward similar conditions to those of the Quartet for Hamas to form a government. Abbas must be held accountable – he must refuse any formation of a Hamas government without Hamas first accepting in clear terms his own formal conditions. A second test for Abbas is to make sure that he maintains control of core security services, such as the Preventive Security, without yielding any such power to Hamas. If Abbas fails in these tests, and becomes simply a cover for a Hamas government, a mere fig leaf in a seemingly two-headed authority, then there is no point in the international community working with him, and he should not be the beneficiary of any international support, and certainly not financial support or channeling of financial aid. Under such conditions, there is also no use in continuing the effort to reform the Palestinian security services.

Ultimately the aim should be to help Hamas fail. Ideally, we would witness a Qalqilyan model. In Qalqilya, a Palestinian town in the West Bank, Hamas won municipal elections

in mid-2005 and had been running the town for six months leading up to the January elections. “Reforms” included banning cultural events which allowed the mixing of males and females, among other fundamentalist initiatives. In January, Qalqilya was one of the very few districts in which Hamas lost elections.

The true test of democracy is not merely free and fair elections. Democracy does not emerge from the mere willingness of an extreme, armed party co-opted into the political field to use elections in order to gain power, but from a willingness of this same party to hold similar elections with the likelihood of *losing* power. That is the real test. In facing Hamas with critical choices, the international community would do well, alongside its other conditions, to insist on promoting the democratic process and maintaining the institution of free fair elections, so as to force Hamas to either change course or lose power through this very same process.